UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

NOTICE OF ALLOWANCE AND FEE(S) DUE

34725   7590   06/25/2010

CHALKER FLORES, LLP
2711 LBJ FRWY
Suite 1036
DALLAS, TX 75234

EXAMINER
SHRESTHA, BIJENDRA K

ART UNIT	PAPER NUMBER
3691	

DATE MAILED: 06/25/2010

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/691,257	10/22/2003	George Thompson	GLTS:1001RCE	5448

TITLE OF INVENTION: APPARATUS AND METHOD FOR DISPLAYING TRADING TRENDS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	$755	$300	$0	$1055	09/27/2010

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN **THREE MONTHS** FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PTOL-85 (Rev. 08/07) Approved for use through 08/31/2010.

Complete and send this form, together with applicable fee(s), to: **Mail**   Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
or Fax   (571)-273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

34725   7590   06/25/2010

CHALKER FLORES, LLP
2711 LBJ FRWY
Suite 1036
DALLAS, TX 75234

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

_____ (Depositor's name)

_____ (Signature)

_____ (Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/691,257	10/22/2003	George Thompson	GLTS:1001RCE	5448

TITLE OF INVENTION: APPARATUS AND METHOD FOR DISPLAYING TRADING TRENDS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	$755	$300	$0	$1055	09/27/2010

EXAMINER	ART UNIT	CLASS-SUBCLASS
SHRESTHA, BIJENDRA K	3691	705-037000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 _____

2 _____

3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent) :   ☐ Individual   ☐ Corporation or other private group entity   ☐ Government

4a. The following fee(s) are submitted:

☐ Issue Fee

☐ Publication Fee (No small entity discount permitted)

☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

☐ A check is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. **Change in Entity Status** (from status indicated above)

☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.

☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____   Date _____

Typed or printed name _____   Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/691,257	10/22/2003	George Thompson	GLTS:1001RCE	5448

34725   7590   06/25/2010

CHALKER FLORES, LLP
2711 LBJ FRWY
Suite 1036
DALLAS, TX 75234

EXAMINER
SHRESTHA, BIJENDRA K

ART UNIT	PAPER NUMBER
3691	

DATE MAILED: 06/25/2010

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)
(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 984 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 984 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

PTOL-85 (Rev. 08/07) Approved for use through 08/31/2010.

	Application No.	Applicant(s)
Notice of Allowability	10/691,257	THOMPSON ET AL.
	Examiner	Art Unit
	BIJENDRA K. SHRESTHA	3691

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address--*

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *3/29/2010*.

2. ☒ The allowed claim(s) is/are *1-3,5 and 7-39*.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some* c) ☐ None of the:

        1. ☐ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

        3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

        1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.

    (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

    Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application

6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____ .

7. ☒ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____.

/Hani M. Kazimi/
Primary Examiner, Art Unit 3691

EXAMINER STATEMENT

1.   This action is responsive to the amendment filed on 03/29/2010. Of the original

claims 1-3, 5, and 7-39 filed, claims 1, 25 and 39 have been amended by applicant's

amendment. Therefore, claims 1-3, 5, and 7-39 are pending.

EXAMINER'S AMENDMENT

2.   An examiner's amendment to the record appears below. The Examiner

amendment include amendment to claims 1 and 25-39 as authorized by applicant in the

telephone interview on 06/10/2010 and 06/18/2010. Should the changes and/or

additions be unacceptable to applicant, an amendment may be filed as provided by 37

CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no

later than the payment of the issue fee.

        Applicants' arguments filed on 03/09/2010, and examiner's amendment have

been fully considered, and discussed in the next section below, are deemed to be

persuasive. Therefore, claims 1-3, 5, and 7-39, are deemed to be allowable over the

prior art of record.

        Authorization for this examiner's amendment was given in a telephone interview

with attorney Daniel J. Chalker (Reg. No. 40,552) on June 10, 2010 and June 18,2010.

The application has been amended as follows:

Claim 1 (currently amended): A <u>computerized</u> method for determining and displaying trading trends comprising the steps of:

obtaining market information for a currency pair for a time period, wherein the market information comprises at least (a) a first set of market data for the currency pair based on a series of consecutive first time intervals within the time period comprising a first opening value and a first closing value for each consecutive first time interval, (b) a second set of market data for the currency pair based on a series of consecutive second time intervals within the time period comprising a second opening value and a second closing value for each consecutive second time interval, and (c) the first time interval is not equal to the second time interval;

calculating a first opening value trend for the first time intervals using a market trend indicator and the first opening values for the currency pair, and a second opening value trend for the second time intervals using the market trend indicator and the second opening values for the currency pair;

calculating a first closing value trend for the first time intervals using the market trend indicator and the first closing values for the currency pair, and a second closing value trend for the second time intervals using the market trend indicator and the second closing values for the currency pair;

simultaneously displaying <u>in real-time</u> at least a first visual favorable/unfavorable trade indicator for the first time intervals and a second visual favorable/unfavorable trade indicator for the second time intervals<u>, wherein the first time intervals are not equal to the second time intervals</u>;

wherein the first visual favorable/unfavorable trade indicator for the first time intervals is based on a comparison of the first opening value trend to the first closing value trend for the currency pair, wherein the first visual favorable/unfavorable trade indicator is a first color whenever the first closing value trend is greater than the first opening value trend and the first visual favorable/unfavorable trade indicator is a second color whenever the first closing value trend is lower than the first opening value trend;

wherein the second visual favorable/unfavorable trade indicator for the second time intervals is based on a comparison of the second opening value trend to the second closing value trend for the currency pair, wherein the second visual favorable/unfavorable trade indicator is the first color whenever the second closing value trend is greater than the second opening value trend and the second visual favorable/unfavorable trade indicator is the second color whenever the second closing value trend is lower than the second opening value trend; ~~and~~

wherein the first and second visual favorable/unfavorable trade indicators signal whether it will be favorable or unfavorable to execute a trade involving the currency pair for the respective time intervals<u>; and</u>

<u>*wherein the forgoing steps are executed by a computer*</u>.

Claim 2 (previously presented): The method as recited in claim 1, wherein the opening value is an opening price and the closing value is a closing price.

Claim 3 (original): The method as recited in claim 1, wherein the opening value is an opening trading volume and the closing value is a closing volume.

Claim 4 (canceled)

Claim 5 (previously presented): The method as recited in claim 1, wherein the first color is green.

Claim 6 (canceled)

Claim 7 (previously presented): The method as recited in claim 1, wherein the second color is red.

Claim 8 (previously presented): The method as recited in claim 1, wherein the first visual favorable/unfavorable trade indicator displays the first time interval and the second visual favorable/unfavorable trade indicator displays the second time interval.

Claim 9 (previously presented): The method as recited in claim 1, further comprising the step of displaying the first opening value trend as a first line and the first closing value trend as a second line in a graph.

Claim 10 (previously presented): The method as recited in claim 9, further comprising the step of displaying a list of information about a point selected on either the first line or the second line.

Claim 11 (previously presented): The method as recited in claim 1, wherein the market trend indicator comprises one or more regression algorithms selected from: stochastics, relative strength, directional movement, commodity channel, simple average, exponential average, weighted average, MACD (simple), MACD (exponential), momentum/ROC, midrange, William's %R, parabolic stop, volatility stop, trailing stop, high low stop, Bollinger Bands, Keltner Channel, uniform channel, regression channel, swing lines, cycle forecast, on balance volume, overlay chart, point & figure, moving average, moving linear regression, upper envelope, lower envelope, %K, %D, %D slow, %D averaged, %R, RSI, momentum, acceleration, moving average oscillator, moving average momentum, moving average convergence-divergence oscillator, moving average convergence-divergence, MACD signal line, commodity channel index, rate of change in prices, on balance volume variance, standard deviation, volatility ratio, volatility, skew, kurtosis, Williams Accumulated Distribution, Arm's Ease of Movement, plus directional indicator, minus directional indicator, directional movement and average directional movement.

Claim 12 (previously presented): The method as recited in claim 1, wherein the first opening value trend is calculated without using the first opening value from the most recent first time interval within the time period.

Claim 13 (previously presented): The method as recited in claim 1, further comprising the steps of:

selecting a market information source; and

communicably connecting to the market information source.

Claim 14 (previously presented): The method as recited in claim 1, further comprising the step of executing a trade involving the currency pair.

Claim 15 (previously presented): The method as recited in claim 1, further comprising the step of simulating an execution of a trade involving the currency pair.

Claim 16 (previously presented): The method as recited in claim 1, further comprising the step of calculating a potential tax liability for an execution of a trade involving the currency pair.

Claim 17 (previously presented): The method as recited in claim 1, further comprising the step of searching for one or more investment trading opportunities based on one or more search criteria.

Claim 18 (previously presented): The method as recited in claim 1, further comprising the step of selecting the first time interval or the second time interval.

Claim 19 (previously presented): The method as recited in claim 1, wherein the first time interval is a first preset time interval and the second time interval is a second preset time interval based on a user profile.

Claim 20 (previously presented): The method as recited in claim 1, further comprising the step of repeating the steps of obtaining the market information, calculating the opening value trends and the closing value trends, and displaying the visual favorable/unfavorable trade indicators for a set of different time intervals.

Claim 21 (previously presented): The method as recited in claim 20, wherein the set of different time intervals comprises five minutes, ten minutes, fifteen minutes and thirty minutes.

Claim 22 (previously presented): The method as recited in claim 1, further comprising the step of repeating the steps of obtaining the market information, calculating the opening value trends and the closing value trends, and displaying the visual favorable/unfavorable trade indicators for one or more other currency pairs.

Claim 23 (previously presented): The method as recited in claim 1, further comprising the step of updating the opening values, the closing values, the opening value trends, the closing value trends and the visual favorable/unfavorable trade indicators.

Claim 24 (previously presented): The method as recited in claim 23, further comprising the step of signaling a user whenever any of the visual favorable/unfavorable trade indicators change.

Claim 25 (currently amended): A computer program embodied in a computer readable medium <u>that is executed by a computer</u> for determining and displaying trading trends comprising:

~~a code segment for~~ obtaining market information for a currency pair for a time period, wherein the market information comprises at least (a) a first set of market data for the currency pair based on a series of consecutive first time intervals within the time period comprising a first opening value and a first closing value for each consecutive first time interval, (b) a second set of market data for the currency pair based on a series of consecutive second time intervals within the time period comprising a second opening value and a second closing value for each consecutive second time interval, and (c) the first time interval is not equal to the second time interval;

~~a code segment for~~ calculating a first opening value trend for the first time intervals using a market trend indicator and the first opening values for the currency pair, and a second opening value trend for the second time intervals using the market trend indicator and the second opening values for the currency pair;

a code segment for calculating a first closing value trend for the first time intervals using the market trend indicator and the first closing values for the currency pair, and a second closing value trend for the second time intervals using the market trend indicator and the second closing values for the currency pair;

a code segment for simultaneously displaying in real-time at least a first visual favorable/unfavorable trade indicator for the first time intervals and a second visual favorable/unfavorable trade indicator for the second time intervals, wherein the first time intervals are not equal to the second time intervals;

wherein the first visual favorable/unfavorable trade indicator for the first time intervals is based on a comparison of the first opening value trend to the first closing value trend for the currency pair, wherein the first visual favorable/unfavorable trade indicator is a first color whenever the first closing value trend is greater than the first opening value trend and the first visual favorable/unfavorable trade indicator is a second color whenever the first closing value trend is lower than the first opening value trend;

wherein the second visual favorable/unfavorable trade indicator for the second time intervals is based on a comparison of the second opening value trend to the second closing value trend for the currency pair, wherein the second visual favorable/unfavorable trade indicator is the first color whenever the second closing value trend is greater than the second opening value trend and the second visual favorable/unfavorable trade indicator is the second color whenever the second closing value trend is lower than the second opening value trend; and

wherein the first and second visual favorable/unfavorable trade indicators signal whether it will be favorable or unfavorable to execute a trade involving the currency pair for the respective time intervals.

Claim 26 (currently amended): The computer program as recited in claim 25, further comprising a code segment for displaying the first opening value trend as a first line and the first closing value trend as a second line in a graph.

Claim 27 (currently amended): The computer program as recited in claim 26, further comprising a code segment for displaying a list of information about a point selected on either the first line or the second line.

Claim 28 (previously presented): The computer program as recited in claim 25, wherein the market trend indicator comprises one or more regression algorithms selected from: stochastics, relative strength, directional movement, commodity channel, simple average, exponential average, weighted average, MACD (simple), MACD (exponential), momentum/ROC, midrange, William's %R, parabolic stop, volatility stop, trailing stop, high low stop, Bollinger Bands, Keltner Channel, uniform channel, regression channel, swing lines, cycle forecast, on balance volume, overlay chart, point & figure, moving average, moving linear regression, upper envelope, lower envelope, %K, %D, %D slow, %D averaged, %R, RSI, momentum, acceleration, moving average oscillator, moving average momentum, moving average convergence-divergence oscillator, moving

average convergence-divergence, MACD signal line, commodity channel index, rate of change in prices, on balance volume variance, standard deviation, volatility ratio, volatility, skew, kurtosis, Williams Accumulated Distribution, Arm's Ease of Movement, plus directional indicator, minus directional indicator, directional movement and average directional movement.

Claim 29 (currently amended): The computer program as recited in claim 25, further comprising:

      ~~a code segment for~~ selecting a market information source; and

      ~~a code segment for~~ communicably connecting to the market information source.

Claim 30 (currently amended): The computer program as recited in claim 25, further comprising ~~a code segment for~~ executing a trade involving the currency pair.

Claim 31 (currently amended): The computer program as recited in claim 25, further comprising ~~a code segment for~~ simulating an execution of a trade involving the currency pair.

Claim 32 (currently amended): The computer program as recited in claim 25, further comprising ~~a code segment for~~ calculating a potential tax liability for an execution of a trade involving the currency pair.

Claim 33 (currently amended): The computer program as recited in claim 25, further comprising ~~a code segment for~~ searching for one or more investment trading opportunities based on one or more search criteria.

Claim 34 (currently amended): The computer program as recited in claim 25, further comprising ~~a code segment for~~ selecting the first time interval or the second time interval.

Claim 35 (currently amended): The computer program as recited in claim 25, further comprising ~~a code segment for~~ repeating the steps of obtaining the market information, calculating the opening value trends and the closing value trends, and displaying the visual favorable/unfavorable trade indicators for a set of different time intervals.

Claim 36 (currently amended): The computer program as recited in claim 25, further comprising ~~a code segment for~~ repeating the steps of obtaining the market information, calculating the opening value trends and the closing value trends, and displaying the visual favorable/unfavorable trade indicators for one or more other currency pairs.

Claim 37 (currently amended): The computer program as recited in claim 25 further comprising ~~a code segment for~~ updating the opening values, the closing values, the

opening value trends, the closing value trends and the visual favorable/unfavorable

trade indicators.

Claim 38 (currently amended):   The computer program as recited in claim 37 further

comprising ~~a code segment for~~ *signaling a user whenever any of the visual*

favorable/unfavorable trade indicators change.

Claim 39 (currently amended):   An apparatus for determining and displaying trading

trends comprising:

a computer communicably connected to a market information source;

a display communicably connected to the computer; and

the computer (1) obtaining market information for a currency pair for a time

period, wherein the market information comprises at least (a) a first set of market data

for the currency pair based on a series of consecutive first time intervals within the time

period comprising a first opening value and a first closing value for each consecutive

first time interval, (b) a second set of market data for the currency pair based on a

series of consecutive second time intervals within the time period comprising a second

opening value and a second closing value for each consecutive second time interval,

and (c) the first time interval is not equal to the second time interval, (2) calculating a

first opening value trend for the first time intervals using a market trend indicator and the

first opening values for the currency pair, and a second opening value trend for the

second time intervals using the market trend indicator and the second opening values

for the currency pair, (3) calculating a first closing value trend for the first time intervals using the market trend indicator and the first closing values for the currency pair, and a second closing value trend for the second time intervals using the market trend indicator and the second closing values for the currency pair, and (4) simultaneously displaying in real-time at least a first visual favorable/unfavorable trade indicator for the first time intervals and a second visual favorable/unfavorable trade indicator for the second time intervals, wherein the first time intervals are not equal to the second time intervals and the first visual favorable/unfavorable trade indicator for the first time intervals is based on a comparison of the first opening value trend to the first closing value trend for the currency pair, wherein the first visual favorable/unfavorable trade indicator is a first color whenever the first closing value trend is greater than the first opening value trend and the first visual favorable/unfavorable trade indicator is a second color whenever the first closing value trend is lower than the first opening value trend, the second visual favorable/unfavorable trade indicator for the second time intervals is based on a comparison of the second opening value trend to the second closing value trend for the currency pair, wherein the second visual favorable/unfavorable trade indicator is the first color whenever the second closing value trend is greater than the second opening value trend and the second visual favorable/unfavorable trade indicator is the second color whenever the second closing value trend is lower than the second opening value trend, and the first and second visual favorable/unfavorable trade indicators signal whether it will be favorable or unfavorable to execute a trade involving the currency pair for the respective time intervals.

Reasons for Allowance

3.   With regards to claim 1, the prior art of records, alone or combined, does

neither anticipate nor render obvious, inter alia, as a whole, the uniquely patentable

feature of: " *simultaneously displaying in real-time at least a first visual*

favorable/unfavorable trade indicator for the first time intervals and a second visual

favorable/unfavorable trade indicator for the second time intervals, wherein the first time

intervals are not equal to the second time intervals" in a computerized method for

determining and displaying trading trends.

The reasons for allowance for all the other independent claims and dependent

claims are the same as set forth for claim 1 above because they all include same/similar

limitation indicated above for the reasons for allowance.

Discussion of Cited Prior Art

4.   The applicant's remarks filed in response dated March 29, 2010, see pages 13-

15 are persuasive and compelling that the cited prior art of Li et al., (U.S. Patent No.

7,043,449), Olsen et al., (U.S. Pub. No. 2007/0078755), Kam et al., (U.S. Pub. No.

2001/00420) and Tsagaraskis et al., (U.S. Pub. No. 2002/0087455) alone or combined,

does neither disclose or renders obvious the unique features as listed above.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance".

Conclusion

5.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bijendra K. Shrestha whose telephone number is (571) 270-1374. The examiner can normally be reached on 8:00 AM-4:30 PM (Monday-Friday).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on (571) 272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Bijendra K. Shrestha/
Examiner, Art Unit 3691
06/19/2010

/Hani M. Kazimi/
Primary Examiner, Art Unit 3691